

# **Exhibit Y**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

3 SYNGENTA CROP PROTECTION, LLC,

Civil Action  
No. 1:15CV274

4                   Plaintiff,

5 vs.

6 WILLOWOOD, LLC, WILLOWOOD  
7 USA, LLC., WILLOWOOD  
8 AZOXYSTROBIN, LLC, and  
9 WILLOWOOD LIMITED,

Greensboro, North Carolina  
September 7, 2017

10                  Defendants.

11                               TRANSCRIPT OF JURY TRIAL  
12                   BEFORE THE HONORABLE CATHERINE C. EAGLES  
13                   UNITED STATES DISTRICT JUDGE

14 APPEARANCES:

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WITNESSES FOR THE PLAINTIFF:

JEFF CECIL

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ROBERT ANDREW FISHER

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3 | A. Yes.

6 MR. COUGHLIN: No, Your Honor.

10 THE COURT: You can call your next witness.

18 | (At 11:34 a.m., witness sworn.)

19 THE COURT: Go ahead.

20 | ROBERT ANDREW FISHER.

21 | PLAINTIFF'S WITNESS, SWORN AT 11:34 a.m.

22 | DIRECT EXAMINATION

23 BY MR. SANTHANAM:

24 Q. Mr. Fisher, would you please state your full name for the  
25 Court.

1 A. Yeah, it's Robert Andrew Fisher.

2 Q. Where do you live?

3 A. I live here in Greensboro, North Carolina, just north of  
4 Lake Brandt.

5 Q. Who do you work for?

6 A. I work for Syngenta Crop Protection.

7 Q. Where is your office located?

8 A. You'll see a glass building off of I-40 just on the exit  
9 up from Wendover. That's my -- that's where my office is.

10 Q. How long have you been with Syngenta?

11 A. A little over 19 years.

12 Q. What's your current role within Syngenta?

13 A. My current role is digital ag solutions marketing manager.

14 THE COURT: Digital what?

15 THE WITNESS: I'm sorry, digital ag solutions  
16 marketing manager. It's a long title.

17 BY MR. SANTHANAM:

18 Q. And I'll ask you to slow down, Mr. Fisher, just so the  
19 court reporter can take down everything.

20 A. Sorry, I've never -- yeah.

21 Q. So you said your role is digital ag?

22 A. Digital agricultural solutions marketing manager.

23 Q. Do you also have any other interim roles that you're  
24 currently serving in?

25 A. Yeah, I just took this role about nine days ago, so I'm --

1 my prior role was the product lead for azoxystrobin,  
2 propiconazole, a few other active ingredient -- fungicide  
3 active ingredients, and I'm still interim in that role as well.

4 Q. Now, you use this term "product lead." Is that the same  
5 thing as a brand manager within Syngenta?

6 A. Yes. We used to call it brand manager, too. And majority  
7 of the, you know, not competitors -- well, competitors, I've  
8 got friends in banking industries, they still refer to it as a  
9 brand manager role. You know, that's the title they use.

10 Q. Now, how long have you been or were you a product lead or  
11 brand manager?

12 A. It was about five, five and a half years.

13 Q. What are your responsibilities as a product lead or brand  
14 manager?

15 A. Well, you manage everything around the brand, from setting  
16 the budget, setting pricing, volume, advertising and promotion,  
17 you manage that. You -- life cycle management, so it would be  
18 post-patent strategy, you'll manage that.

19 Q. If you could speak up, Mr. Fisher.

20 A. Oh, I'm sorry. So really everything that has to do --  
21 pipeline, so new products that are coming down the pipeline.

22 I'll evaluate those with my technical product leads and  
23 identify what benefits they will bring to farmers and all of  
24 that. So everything really start to finish on the brand,  
25 I'm -- you know, I may not be the expert, but I'm involved in

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1 | it with experts.
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2 Q. Are you involved in budgeting at all with respect to  
3 azoxystrobin?

4 | A. Yes, I am.

5 Q. Earlier today, right before you took the stand, we heard  
6 from Jeff Cecil, Syngenta's head of crop protection marketing.  
7 Where does your role as a product lead fall within -- you know,  
8 fall in connection with his?

9 A. So Jeff Cecil's the head of crop protection marketing, and  
10 then there's a level of managers underneath Jeff, and so my  
11 boss -- he would have been the fungicide and insecticide  
12 product manager, and then under him would have been my role and  
13 the other product leads, so I would be two roles below Jeff.

14 Q. Now, you've mentioned you've been with Syngenta for 19  
15 plus years?

16 | A. Yes.

17 Q. Can you briefly tell us what other roles you've had within  
18 the company?

19 A. Yes. I started as an intern with a legacy, a Syngenta  
20 company called Novartis in the panhandle of Texas as a sales  
21 intern. After that, I moved to Billings, Montana where I was a  
22 sales representative for crop-protection products. There for  
23 two years, and then I moved to Great Falls, Montana as a sales  
24 rep.

25 After that I moved to Des Moines, Iowa, it was

1 actually west Des Moines, Iowa, as a marketing development  
2 manager. It's kind of a customer marketing role where I worked  
3 across the midwest with our sales reps and retailers and things  
4 of that nature doing marketing, various marketing activities.

5 After that I was promoted to district manager of crop  
6 protection in Ohio, so I moved to Columbus, Ohio, and I managed  
7 11 sales reps across Ohio and eastern Michigan, and then after  
8 that, I had the opportunity to move to Greensboro, and I  
9 started a product lead role here in Greensboro.

10 Q. How long have you been in Greensboro?

11 A. It was the fall of 2011 so is that five -- five and a half  
12 years probably.

13 Q. So over these number of roles that you've had within  
14 Syngenta, have you had responsibility for azoxystrobin  
15 products?

16 A. Yeah. I mean, it's always been in our crop protection  
17 pipeline. I suppose my internship I didn't have azoxystrobin  
18 then for those three months as an intern, but after that it was  
19 always in my sales territory, or I was representing it as a  
20 brand and selling it and promoting it throughout my career.

21 Q. Have you had any responsibility for herbicide products  
22 like mesotrione?

23 A. Yes. Yes.

24 Q. Mr. Fisher, do you have any college degrees?

25 A. I have one. I have an undergrad in agricultural economics